

09/812.207MS158541.1 / MSFTP192US**REMARKS**

Claims 1-22 are currently pending in the subject application and are presently under consideration. A clean version of all pending claims is found at pages 2-6.

It is apparent based on the content of the subject Final Office Action that applicants' arguments set forth in the Response to Office Action dated March 30, 2004 were not considered. It appears that the current Examiner has unknowingly relied upon the previous Examiner's limited analysis and inappropriately pasted these incomplete reasons for rejection into the pending Final Action without consideration of applicants' previous response noting clear deficiencies of the cited reference *vis a vis* the claimed invention.

Moreover, and for example, the Office Action incorrectly contends that various system claims (e.g., independent claims 1, 8, and 14) are included in the acts set forth in method claims (e.g., claims 18 and 19). Consequently, the analysis of the present Office Action is directed toward the method claims 18 and 19. As noted in the previous Response, applicants' representative respectfully disagrees with this limited and incomplete analysis and respectfully requests consideration of all claims in their entirety.

In view of the foregoing, applicants' representative requests withdrawal of the finality of this Office Action and that the Examiner give due and proper consideration to the assertions made in the previous as well as current Response. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein.

I. Rejection of Claims 1-22 Under 35 U.S.C. §102(b)

Claims 1-22 stand rejected under 35 U.S.C. §102(b) as being anticipated by Sarkar (U.S. 6,012,067). It is respectfully submitted that this rejection should be withdrawn for at least the following reason. Sarkar does not teach or suggest each and every limitation recited in the subject claims.

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ

09/812,207

MS158541.1 / MSFTP192US

2d 1051, 1053 (Fed. Cir. 1987). Emphasis added. "The identical invention must be shown in as complete detail as is contained in the...claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The present invention is generally directed to a system and method related to the *design time implementation of components*. Particularly, the invention as disclosed and claimed relates to *component model discovery services for design time*. (See pg. 1, ln. 5-7). Applicant's claimed invention provides for a system and/or methodology related to an application development system in which *a type descriptor is adapted to access metadata associated with an instance of a component thus allowing the type descriptor to dynamically provide information (e.g., types, members and attributes) related to the instance of the component to a developer to facilitate application development*. In accordance with the claimed invention, the type descriptor is part of a component model that defines a set of information (e.g., types, members and attributes) that may be attached to a class and its members to describe the class' design time behavior. *The component model provides a simple, consistent and extensible mechanism for defining a class including its design time behavior and attributes*. The type descriptor retrieves information concerning an instance of a component from metadata, stores the information and reports it to the developer. (See pg. 3, ln. 17-28).

Independent claim 1 (and similarly independent claims 8 and 14) recites an application development system including *a development tool, a software component, and a type descriptor adapted to access metadata associated with the software component, the type descriptor operative to dynamically provide information associated with the software component to the development tool to facilitate application development*. Sarkar is silent with regard to any teaching or suggestion of these novel aspects of applicants' claimed invention. Rather, the cited reference simply relates to heterogeneous object management in relational database systems for storing and manipulating data *via the internet*. (See, col. 1, ln. 9-11).

With respect to the *development tool* as recited in independent claim 1, the Examiner contends that Sarkar discloses a development tool merely by stating "object creation...(and) object live cycle management" in the application. Applicants'

09/812.207

MS158541.1 / MSFTP192US

representative respectfully avers to the contrary - this citation from Sarkar is directed specifically to a middle tier application server functionality and not to a development tool used to create user applications. (See, col. 2, ln. 50-55). In support thereto, claim 1 of the subject application specifically recites that information is dynamically provided to the development tool "to facilitate application development." Sarkar neither discloses nor suggests such development tool as in applicants' claimed invention.

With regard to the Examiner's citation of the claims in Sarkar for support of the rejection of the second clause of independent claim 1, it is submitted that "application logic" as defined in claim 1 of Sarkar is also taken out of context and does not suffice to disclose a type descriptor set forth in claim 1 of applicants' application. Applicants' claimed type descriptor accesses metadata associated with the software component. Additionally, the type descriptor dynamically provides information to the development tool. Sarkar does not disclose or suggest such features of applicant's invention.

To the contrary, the cited claim of Sarkar discloses, in part, a multi-tier client/server system comprising relational database servers with schema and business application logic defined in the form of object packages comprising a "user defined type creation for an attribute." This is clearly not synonymous with a *type descriptor that can dynamically provide information with respect to a software component* as in applicants' claimed invention. Moreover, the Examiner concedes that "Sarkar does not specifically mention a type descriptor;" and contrary to assertions made in the Office Action, it is clear from the foregoing that Sarkar does not anticipate applicants' claimed invention.

For at least the reasons set forth *supra*, it is readably apparent that the claim limitations of independent claim 1 (and similarly independent claims 8 and 14) distinguish from Sarkar let alone that the fields of endeavor between the cited reference and that of applicants' invention are different. Sarkar is directed to system for database management *via* the internet whereas, the present claimed invention relates to component model discovery services for design time.

With reference now to independent claim 18 (and similarly independent claims 16 and 21), Sarkar fails to teach or suggest each and every aspect of the claimed invention. Rather, Sarkar merely teaches object management in relational database systems for storing and manipulating data on the internet. (See Sarkar, col. 1, ln. 9-11). In other

09/812,207

MS158541.1 / MSFTP192US

words, the cited reference is directed to a system relating to database transactions *via* the internet and clearly not to a component model discovery service for design time as in applicants' claimed invention.

With reference to the first clause of claim 18, "*receiving information regarding an instance of a component*," the present Office Action incorrectly contends that col. 10 line 62-63 states that "FIG. 8 of Sarkar shows the exchange of information regarding objects (i.e. components)." Rather, in accordance with this citation, Sarkar specifically states that "FIG. 8 shows possible intelligent processing of web objects for secured exchange of information." Clearly, the specific citation identified in the Office Action fails to state any reference to an "instance of a component" as recited in claim 18 of the subject application.

FIG. 8 of Sarkar merely illustrates a possible intelligent processing of web objects for secured exchange of information. (See col. 10, ln. 63-64). As set forth at col. 11, lns. 4-5, FIG. 8 simply "explains how the issue of internet security is maintained by this invention." In other words, Sarkar is silent with regard to any system or method of *receiving information regarding an instance of a component*. Instead, the reference is directed to a database security system "for secured exchange of information", and does not disclose an act of receiving information regarding an instance of a computer as recited in claim 18.

It is well known in the art that an "instance" of an object can be defined as a member of a class. When an instance is created, the initial values of its instance variables are assigned. Clearly, Sarkar is not directed to a system and/or method for receiving information regarding an instance of a component as claimed in the subject application.

Moreover, the Office Action incorrectly contends that Sarkar discloses an act of *determining whether the instance of the component is contained by a container* as set forth in claim 18. Again, Sarkar is silent with regard to any mention of an "instance" as recited in the subject claim(s). The current Office Action interprets Sarkar as being related to an "instance of the component." Applicants' representative respectfully disagrees with this interpretation. Specifically, col. 5, lines 49-51 of Sarkar recites "[I]n another embodiment, comparison operators are defined to compare text, image and other web objects for equality, similarity, containment, etc. and an index can be created using

09/812.207

MS158541.1 / MSFTP192US

such operators for range access over heterogeneous web objects." It is abundantly clear that Sarkar does not reference "instances" as set forth in the subject claim(s).

In other words, Sarkar illustrates operators that are functions to compare two items and return true or false values. In accordance with Sarkar, examples of operator functions are "less than", "greater than", and "equal." By using these operators, Sarkar discloses the possibility to build an index over the items in an attribute. (See, col. 11, ln. 25-32). Such an index can enable users to perform sorting, searching and various range accesses over remote or local web objects. (See, col. 11, ln. 39-42). In view of the foregoing, it is readily apparent that Sarkar does not disclose or suggest determining *whether an instance of a component is contained by a container (e.g., window)* as recited in independent claim 18. Instead, Sarkar defines operators to compare web objects located anywhere on the internet whereby an index can be created over such web objects that will enable users to perform sorting, searching and various range accesses over remote or local web objects. (See, col. 11, ln. 38-42).

Furthermore, for at least the reasons stated *supra*, applicants' representative respectfully submits that Sarkar does not disclose *determining whether any other contained component desires to modify information regarding the instance of the component* as is also recited in claim 18. Rather, Sarkar is directed to objects including business application logic applied to results of queries from other relational databases. (See col. 5, ln. 11-17). Moreover, Sarkar is silent with regard to the act of *determining whether any other contained component desires to modify information regarding the instance of the component* let alone *modifying the information regarding the instance of the component* as further recited by the subject claim(s).

Regarding the contention that Sarkar teaches the act of *determining whether the container implements an interface for manipulating the information regarding the instance of the component*, it is submitted that independent claim 18 recites specifically, *determining whether the container implements a type descriptor filter service interface for the instance of the component*. In this regard, applicants' representative asserts that Sarkar is silent concerning any implementation of an interface for manipulating the information. It is readily apparent that Sarkar is silent with regard to any reference to the

09/812.207

MS158541.1 / MSFTP192US

utilization of *a type descriptor filter service interface* as disclosed and claimed in the subject application.

Applicants' representative again respectfully asserts that the present Office Action incorrectly paraphrases Sarkar with respect to this clause. Specifically, the cited reference states that it is a primary objective...to provide a mechanism *for representing and manipulating heterogeneous (e.g., disparate) objects* in relational databases over the internet. (See, col. 5, ln. 11-14). Clearly, the subject claim(s) distinguish from this stated primary objective of Sarkar. Accordingly, applicants' representative respectfully submits that Sarkar is a deficient reference and does not anticipate the limitations of the claims included in the subject application.

With respect to *manipulating the information regarding the instance of the component by the type descriptor filter service interface*, again, the Office Action fails to recite the claimed limitation including the "*instance*" and "*type descriptor filter service interface*" as set forth in claim 18.

Finally, the Office Action also incorrectly contends that col. 1, lns. 8-10 of Sarkar discloses *storing the information regarding the instance of the component*. To the contrary, this section merely discloses that the reference relates to object management in relational database systems for storing and manipulating data on the internet. Clearly, this cited portion of Sarkar (let alone any other portion) does not anticipate the act of *storing the information regarding the instance of the component* as recited in independent claim 18.

Thus, contrary to the assertions made in the subject Final Office Action, Sarkar does not teach or suggest each and every element set forth in independent claim 18 of the present application. Rather, as outlined *supra*, Sarkar is silent with regard to numerous features recited in independent claim 18 (and similarly independent claims 16 and 21). Applicants' representative submits that the Final Office Action is premised on an improper and unfounded hindsight-based assumption that the cited reference indicates a system and method of design time component model discovery services as in applicants' claimed invention.

In view of the above, it is submitted that Sarkar does not anticipate or suggest each and every limitation recited in independent claims 1 and 18 (and similarly in

09/812.207MS158541.1 / MSFTP192US

independent claims 8, 14, 16 and 21), and claims 2-7, 9-13, 15, 17, 19-20 and 22 which respectively depend there from. Accordingly, withdrawal of this rejection is respectfully requested.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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